

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

<b>MICHAEL P. AND SHELLIE GILMOR,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 4:10-cv-00189-ODS</b>
	)	
<b>PREFERRED CREDIT CORPORATION,</b>	)	
<b>et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**PLAINTIFFS AND MOVING DEFENDANTS' JOINT MOTION FOR STAY**

Plaintiffs and Defendants Residential Funding Company, LLC and JPMorgan Chase Bank, NA in its capacity as the former trustee of loans sold, assigned or serviced by Defendant Residential Funding Company, LLC (collectively "Moving Defendants"), jointly move the Court to stay all proceedings in connection with Plaintiffs' claims against Moving Defendants, including discovery and any pending motions. In support of this motion Plaintiffs and Moving Defendants state as follows:

1. The above captioned case is a class action lawsuit involving claims by Missouri homeowners for violations of Missouri's Second Mortgage Loans Act, §§ 408.231 RSMo, *et seq.*
2. Pursuant to the Court's Scheduling Order, trial is set for August 13, 2012.
3. Plaintiffs and Moving Defendants have reached an agreement that if approved would settle and resolve the claims against Moving Defendants of those individual class members who obtained loans that were sold, assigned, or serviced by Defendant Residential Funding Company, LLC. Plaintiffs and Moving Defendants need time to memorialize the settlement in writing and to implement a process through which the settlement can be finalized and submitted to the Court for approval. Accordingly Plaintiffs and Moving Defendants

respectfully request this Court to grant a 120 day stay with respect to all proceedings in connection with Plaintiffs' claims against Moving Defendants.

4. The continued prosecution of the claims against Moving Defendants is unnecessary and will detract from the settling parties' ability to finalize the settlement.

5. No other claims, motions, discovery or other case activity should be stayed as against any other defendant including, without limitation, Defendant JPMorgan Chase Bank, NA in its capacity as trustee or former trustee or servicer of loans other than the loans that were sold, assigned or serviced by Defendant Residential Funding Company, LLC, with the exception of those defendants with regard to whom the Court already has entered a stay.

WHEREFORE, Plaintiffs and Moving Defendants respectfully request that the Court enter its Order staying for 120 days all proceedings in connection with Plaintiffs' claims against Defendants Residential Funding Company, LLC and JPMorgan Chase Bank, NA in its capacity as the former trustee of loans sold, assigned or serviced by Defendant Residential Funding Company, LLC.

Respectfully submitted,

By: /s/ R. Frederick Walters

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ATTORNEYS FOR DEFENDANTS  
RESIDENTIAL FUNDING COMPANY, LLC  
AND JPMORGAN CHASE BANK, NA, AS  
FORMER TRUSTEE

**CERTIFICATE OF SERVICE**

I hereby certify that on August 25, 2011, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which sent notification of such filing to all counsel of record.

/s/ Catesby A. Major  
Attorney for Defendants Residential Funding  
Company, LLC and JPMorgan Chase Bank,  
NA, as Former Trustee